

Draft Regulations

Draft Regulation

Tobacco Act
(R.S.Q., c. T-0.01)

Regulation

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation under the Tobacco Act, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines the products, other than tobacco products, that are considered to be tobacco, determines standards under the Act that apply to tobacco advertising in tobacco retail outlets and printed newspapers and magazines, provides standards for the display of specialized publications about tobacco or accessories that may be used for tobacco smoking, and identifies the tobacco products that cannot be sold in a package containing fewer units than the quantity of units determined by the draft Regulation.

The draft Regulation has no significant impact on citizens or enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Geneviève Defoy, 1000, route de l'Église, 3^e étage, bureau 310, Québec (Québec) G1V 3V9; telephone: 418 643-6407; fax: 418 646-5789; e-mail: genevieve.defoy@msss.gouv.qc.ca

Any interested person wishing to comment on the draft Regulation may submit written comments to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1, within the 45-day period.

PHILIPPE COUILLARD,
*Minister of Health and
Social Services*

Regulation under the Tobacco Act

Tobacco Act
(R.S.Q., c. T-0.01, s. 19, s. 25, 1st par., subpars. 1, 2 and 4, and s. 29.1)

1. For the purposes of the Tobacco Act (R.S.Q., c. T-0.01), any product that does not contain tobacco and is intended to be smoked is considered to be tobacco.
2. In a tobacco retail outlet, all advertising disseminated pursuant to subparagraph 9 of the first paragraph of section 24 of the Act must be displayed on one display board only.

The display board must be fixed, rectangular, flat and opaque, and not have a raised surface. Only one of its sides, having a maximum surface area of 3,600 cm², may display the advertising, which may be written or printed directly on the board or posted on it by means of a sign. In the latter case, the sign must be affixed to the board, not be embossed and not extend beyond the edges of the display board.

Only black and white may be used on the display board and in the advertising it displays.

3. The display board referred to in section 2 may display no advertising other than the advertising referred to in that section.

No lighting, sound or other effect may be used to draw the attention of the public to the advertising.

4. In a printed newspaper or magazine, advertising disseminated pursuant to subparagraph 8 of the first paragraph of section 24 of the Act must

(1) be rectangular, have a maximum area of 400 cm², be high and wide enough to hold the warning concerning the harmful effects of tobacco on health prescribed by regulation of the Minister of Health and Social Services and be bordered by a line that is not less than 0.5 nor more than 1.5 points wide;

(2) be in black and white only, not be embossed, and have consistent characters as regards the font, size and colour; and

(3) not appear on the first or last page of the newspaper or magazine and be printed on paper of the same size and quality as that usually used in the newspaper or magazine.

The advertising space may contain no advertising other than the advertising to which this section refers. If several tobacco advertisements are disseminated in the same printed newspaper or magazine, they must be grouped to appear on one or, if need be, two or more successive pages.

5. Specialized publications about tobacco or accessories that may be used for tobacco smoking on sale in a business must be displayed in such a manner as to be visible only from the inside of the business. They must also be placed so that, for each issue of a publication, the cover page of only one copy of the issue is visible.

No lighting, sound or other effect may be used to draw the attention of the public to the publications.

6. Subject to the provisions of section 19 of the Act and the provisions of the second paragraph of this section, the operator of a tobacco retail outlet may not sell a tobacco product except in a package that contains at least ten units of the product.

The prohibition in the first paragraph does not apply to a package of tobacco or a unit of tobacco sold at a price higher than \$5.

7. The violation of any of sections 2 to 6 constitutes an offence.

8. This Regulation comes into force on 31 May 2008.

8577

Draft Regulation

Tobacco Act
(R.S.Q., c. T-0.01)

Health and Social Services — Warning attributed to the Minister concerning the harmful effects of tobacco on health

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R18.1), that the Regulation respecting the warning attributed to the Minister of Health and Social Services concerning the harmful effects of tobacco on health, appearing below, may be made by the Minister of Health and Social Services on the expiry of 45 days following this publication.

The draft Regulation establishes the warning attributed to the Minister of Health and Social Services concerning the harmful effects of tobacco on health that must be displayed in tobacco advertising in a printed newspaper or magazine that has an adult readership of not less than 85%. It also sets out the standards that apply to the warning.

The draft Regulation has no significant impact on citizens or enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Geneviève Defoy, 1000, route de l'Église, 3^e étage, bureau 310, Québec (Québec) G1V 3V9; telephone: 418 643-6407; fax: 418 646-5789; e-mail: genevieve.defoy@msss.gouv.qc.ca

Any interested person wishing to comment on the draft Regulation may submit written comments to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1, within the 45-day period.

PHILIPPE COUILLARD,
*Minister of Health and
Social Services*

Regulation respecting the warning attributed to the Minister of Health and Social Services concerning the harmful effects of tobacco on health

Tobacco Act
(R.S.Q. c. T-0.01, s. 25.1)

1. All advertising placed in a printed newspaper or magazine in accordance with section 4 of the Regulation under the Tobacco Act must include one of the warnings in the Schedule to this Regulation based on the surface area of the advertising and the language in which the newspaper or magazine is published.

2. Advertisements having a surface area of 100 cm² or less must include the warning in Format 1. Advertisements having a surface area of between 100 cm² and 200 cm² and advertisements having a surface area of 200 cm² or more must include the warning in Format 2 or Format 3, respectively.

3. Advertising in a French-language printed newspaper or magazine must include the warning in French. Advertising in an English-language printed newspaper or magazine must include the warning in English. Advertising in a printed newspaper or magazine published in a language other than French or English must display the French-language warning.